

United States District Court
Middle District of Tennessee

RECEIVED

Ann E. Schwarz
Criminal Docketing Supervisor

Office of the Clerk
800 United States Courthouse
801 Broadway
Nashville, Tennessee 37203
(615) 736-7396

JUL 29 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

E-Mail: Ann_E_Schwarz@tnmd.uscourts.gov

Web Site: www.tnmd.uscourts.gov

July 25, 2008

Clerk
U. S. District Court
U. S. Courthouse, 20th Floor
219 South Dearborn Street
Chicago, IL 60604

08cr155
JUDGE KENDALL
MAGISTRATE JUDGE COLE

Re: RULE 20 TRANSFER
USA v. Kenneth L. Mayfield
Middle District of Tennessee Criminal Case No. 3:08-cr-00037

Dear Clerk:

Enclosed please find certified copies of all pertinent documents pursuant to the above-referenced defendant's Rule 20 Consent to Transfer for Plea and Sentencing.

Should you require any further information, please let me know.

Sincerely,



Ann E. Schwarz
Criminal Docketing Supervisor

cc: U. S. Marshal Service
U. S. Probation Office

FILED

July 29, 2008
JUL 29 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

**U.S. District Court
Middle District of Tennessee (Nashville)
CRIMINAL DOCKET FOR CASE #: 3:08-cr-00037 All Defendants
Internal Use Only**

Case title: USA v. Mayfield

Date Filed: 02/13/2008

Date Terminated: 07/24/2008

Assigned to: Chief Judge Todd J.
Campbell

Defendant (1)

Kenneth L. Mayfield

TERMINATED: 07/24/2008

represented by **Carl Douglas Thoresen**

Federal Public Defender's Office

810 Broadway

Suite 200

Nashville, TN 37203

(615) 736-5047

Email: doug_thoresen@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

ATTEST AND CERTIFY

A TRUE COPY

Clerk

U.S. District Court

Middle District of Tennessee

By: 
Deputy Clerk

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

Indictment 2/13/08: 18:1709 Theft of
mail by postal employee

(1)

Indictment 2/13/08: 18:641 Theft of
government property

(2)

Disposition

Rule 20 to the Northern District of
Illinois at Chicago.

Rule 20 to the Northern District of
Illinois at Chicago.

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff**USA**represented by **S. Carran Daughtrey**

Office of the United States Attorney

110 Ninth Avenue, S

Suite A961

Nashville, TN 37203-3870

(615) 736-5151

Fax: (615) 736-5323

Email: carrie.daughtrey@usdoj.gov**LEAD ATTORNEY****ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/13/2008	<u>1</u>	INDICTMENT filed as to Kenneth L. Mayfield. (Attachment: # <u>1</u> Criminal Cover Sheet) (as) (Entered: 02/15/2008)
02/13/2008	<u>2</u>	SEALED DOCUMENT: Indictment with grand jury foreperson signature. Document sealed pursuant to Judicial Conference Policy on Privacy and Public Access to Electronic Criminal Case Files. THIS DOCUMENT IS NOT FOR PUBLIC DISCLOSURE (as) (Entered: 02/15/2008)
02/13/2008	<u>3</u>	Warrant issued as to Kenneth L. Mayfield, Chicago, IL. (as) (Entered: 02/15/2008)
02/25/2008		Arrest of Kenneth L. Mayfield in Northern District of Illinois on 2/25/08. (kb) (Entered: 03/11/2008)
02/25/2008		(Court only) ***Location start (LR) as to Kenneth L. Mayfield. Deft released on \$4,500 OR bond after arrest in ND/IL. (kb) (Entered: 03/11/2008)
03/10/2008	<u>4</u>	Rule 5(c)(3) Documents Received from Northern District of Illinois as to Kenneth L. Mayfield. Deft arrested on 2/25/08 and released on \$4,500 OR bond. (kb) (Entered: 03/11/2008)
03/21/2008	<u>5</u>	NOTICE OF HEARING as to Kenneth L. Mayfield: Arraignment set for 3/27/2008 10:30 AM before Magistrate Judge Joe Brown. (kb) (Entered: 03/21/2008)
03/26/2008	<u>6</u>	MOTION to Continue by Kenneth L. Mayfield. (Thoresen, Carl) (Entered: 03/26/2008)
03/26/2008	<u>7</u>	ORDER as to Kenneth L. Mayfield: Granting <u>6</u> MOTION to Continue arraignment filed by Kenneth L. Mayfield. Arraignment reset for 3/27/2008 12:30 PM before Magistrate Judge Joe Brown. Signed by Judge Joe Brown on 3/26/08. (kb) (Entered: 03/26/2008)
04/03/2008	<u>8</u>	WAIVER of Personal Appearance at Arraignment and Entry of Plea of Not Guilty effective 4/3/08 by Kenneth L. Mayfield (as) (Entered: 04/03/2008)

04/07/2008	<u>9</u>	ORDER as to Kenneth L. Mayfield: Jury trial is set for 6/10/2008 at 09:00 AM. Pretrial conference (or plea hearing) is set for 6/6/2008 at 01:00 PM. Status conference is set for 5/19/2008 at 03:00 PM. Signed by Chief Judge Todd J. Campbell on 4/7/08. (as) (Entered: 04/07/2008)
04/07/2008	<u>10</u>	MOTION to Continue <i>Status Conference</i> by USA as to Kenneth L. Mayfield. (Daughtrey, S.) (Entered: 04/07/2008)
04/07/2008	<u>11</u>	MOTION to Strike <i>Docket Entry #10 (Due to Clerical Error)</i> by USA as to Kenneth L. Mayfield. (Daughtrey, S.) (Entered: 04/07/2008)
04/07/2008	<u>12</u>	MOTION to Continue Status Conference by USA as to Kenneth L. Mayfield. (Daughtrey, S.) (Entered: 04/07/2008)
04/07/2008	<u>13</u>	ORDER as to Kenneth L. Mayfield: Pending before the Court is the Govt's Motion to Strike Docket Entry No. 10 <u>11</u> . The Motion is granted. Also pending is the Govt's Motion to Continue Status Conference <u>12</u> . The Motion is granted. The status conference is rescheduled for 5/19/2008 at 04:00 PM. Signed by Chief Judge Todd J. Campbell on 4/7/08. (as) (Entered: 04/07/2008)
04/08/2008	<u>14</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Kenneth L. Mayfield. Signed by Magistrate Judge Joe Brown on 4/8/08. (kb) (Entered: 04/08/2008)
05/19/2008	<u>15</u>	Warrant Returned Executed as to Kenneth L. Mayfield. Deft was actually arrested in the Northern District of Illinois on 2/25/08. (as) (Entered: 05/20/2008)
05/19/2008	<u>16</u>	Minute Entry for proceedings held before Chief Judge Todd J. Campbell: Status Conference as to Kenneth L. Mayfield held on 5/19/2008. Modifications of pretrial release approved by the Court. Trial remains set for 6/10/08 and pretrial conference/plea for 6/6/08. (Court Reporter Cathy Leigh.) (as) (Entered: 05/20/2008)
05/19/2008	<u>17</u>	ORDER as to Kenneth L. Mayfield: Consent by deft to modify conditions of release is ordered to be effective on 5/19/08. Signed by Chief Judge Todd J. Campbell on 5/19/08. (as) (Entered: 05/20/2008)
05/23/2008	<u>18</u>	MOTION to Continue by Kenneth L. Mayfield. (Thoresen, Carl) (Entered: 05/23/2008)
06/05/2008	<u>19</u>	MOTION to Continue <i>Pretrial Conference and Trial</i> by Kenneth L. Mayfield. (Thoresen, Carl) (Entered: 06/05/2008)
06/05/2008	<u>20</u>	AFFIDAVIT by Kenneth L. Mayfield <u>19</u> MOTION to Continue <i>Pretrial Conference and Trial</i> filed by Kenneth L. Mayfield (Thoresen, Carl) (Entered: 06/05/2008)
06/06/2008	<u>21</u>	WAIVER of Speedy Trial by Kenneth L. Mayfield (Thoresen, Carl) (Entered: 06/06/2008)
06/06/2008	<u>22</u>	Minute Entry for proceedings held before Chief Judge Todd J. Campbell: Hearing as to Kenneth L. Mayfield held on 6/6/2008. Deft did not

		appear. A Waiver of Speedy Trial is expected by today's end. (Court Reporter Cathy Leigh.) (jb) (Attachment: # 1 Deft Exhibit 1) (as). (Entered: 06/06/2008)
06/06/2008	<u>23</u>	ORDER TO CONTINUE - Ends of Justice as to Kenneth L. Mayfield: Hearing held 6/6/08. Motion by deft to continue and to stay proceedings pending Rule 20 Transfer <u>19</u> is granted. Trial is reset for 11/25/2008 at 09:00 AM to facilitate a Rule 20 transfer of this case to Chicago, IL. Plea hearing is set for 11/24/2008 at 01:00 PM. Signed by Chief Judge Todd J. Campbell on 6/6/08. (jb) (Entered: 06/06/2008)
07/09/2008	<u>24</u>	ORDER as to Kenneth L. Mayfield: Petition received from USPO re: noncompliance by deft with conditions of pretrial release. The Court orders no action. Signed by Chief Judge Todd J. Campbell on 7/7/08. (as) (Entered: 07/09/2008)
07/24/2008	<u>25</u>	RULE 20 Consent to Transfer of Case for Plea and Sentencing filed as to Kenneth L. Mayfield. Deft consents to disposition in the Northern District of Illinois at Chicago. Statistically closed Counts 1-2. (as) (Entered: 07/25/2008)
07/25/2008	<u>26</u>	Letter transmitting certified copies of Rule 20 paperwork sent to U.S. District Court, Northern District of Illinois at Chicago as to Kenneth L. Mayfield. (as) (Entered: 07/25/2008)

USA-153 Consent to Transfer of Case for Plea and Sentence (Under Rule 20)

In the United States District Court

FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENN.

JUL 24 2008

DEPUTY CLERK

for the MIDDLE DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA

V.

KENNETH L. MAYFIELD

CRIMINAL NUMBER: 3:08-CR-00037

08cr155

JUDGE KENDALL

MAGISTRATE JUDGE COLE

Consent to Transfer of Case for Plea
and Sentence
(Under Rule 20)**FILED**

JUL 29 2008 CA

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

I, Kenneth L. Mayfield, defendant, have been informed that an (indictment, information, complaint) is pending against me in the above designated cause. I wish to plead _____ to the offense charged, to consent to the disposition of the case in the Northern District of Illinois in which I, _____, (am under arrest, am held) and to waive trial in the above captioned District.

ATTEST AND CERTIFY
A TRUE COPY

Clerk

U.S. District Court

Middle District of Tennessee

By [Signature]
Deputy Clerk

Dated: June 20, 2008 at

[Signature]
(Defendant's Counsel)

(Witness)

[Signature]
(Counsel for Defendants)[Signature]
(Assistant United States Attorney)

Approved

[Signature]
United States Attorney for the

Middle

District of

Tennessee

[Signature]
United States Attorney for the

Northern

District of

Illinois

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENN

FEB 13 2008

[Signature]
DEPUTY CLERK

UNITED STATES OF AMERICA

v.

KENNETH L. MAYFIELD

NO. 3:08-00037

18 U.S.C. § 641

18 U.S.C. § 1709

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES:

From on or about July 1, 2007 through on or about August 28, 2007, in the Middle District of Tennessee, **KENNETH L. MAYFIELD**, a United States Postal Service employee, did embezzle letters, postal cards, packages, bags, and mail, and articles or things contained therein entrusted to him and which came into his possession intended to be conveyed by mail.

In violation of Title 18, United States Code, Section 1709.

ATTEST AND CERTIFY
A TRUE COPY
Clerk

U.S. District Court
Middle District of Tennessee

By: *[Signature]*
Deputy Clerk

COUNT TWO

THE GRAND JURY FURTHER CHARGES:

From in or about March 2007 through on or about August 28, 2007, in the Middle District of Tennessee, **KENNETH L. MAYFIELD**, knowingly and willfully did embezzle, steal and convert to his use, any money or thing of value not exceeding the sum of \$1000, from the United States Postal Service.

In violation of Title 18, United States Code, Section 641.

A TRUE BILL


EDWARD M. YARBROUGH
UNITED STATES ATTORNEY


S. CARRAN DAUGHTREY
ASSISTANT UNITED STATES ATTORNEY

Petty Offense ()
 Misdemeanor ()
 Felony (x)
 Juvenile ()

CRIMINAL COVER SHEET
 MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

County of Offense: Davidson

AUSA's NAME: S. Carran Daughtrey

KENNETH L. MAYFIELD
 Defendant's Name

Chicago, IL 60644
 Defendant's Address

Interpreter Needed? Yes x No

If Yes, what language?

COUNT(s)	TITLE/SECTION	OFFENSE CHARGED	MAX. PRISON	MAX. FINE
1	18 USC 1709	Mail Theft by Postal Employee	5 years	\$250,000
2	18 USC 641	Theft of Government Property	1 year	\$100,000

If the defendant is charged with violating 18 U.S.C. sec. 922(g) and has 3 prior qualifying felonies, then the penalties are as follows: imprisonment not less than 15 years nor more than life; fine not more than \$250,000; supervised release not more than 5 years; 18:924(e)(1)

If the defendant is charged with conspiracy but not with the primary offense, list the primary offense below:

TITLE/SECTION	OFFENSE	MAX. PRISON	MAX. FINE

Is the defendant currently in custody? () Yes (x) No If Yes, State or Federal?

Has a complaint been filed? () Yes (x) No

If Yes: Name of Magistrate Judge _____ Case No.: _____
 Was the defendant arrested on the complaint? () Yes () No

Has a search warrant been issued? () Yes (x) No

If Yes: Name of Magistrate Judge _____ Case No.: _____

Was bond set by Magistrate/District Judge: () Yes (x) No Amount of bond: _____

Is this a Rule 20? () Yes (x) No To/from what district? _____

Is this a Rule 40? () Yes (x) No To/from what district? _____

Is this case related to a pending or previously filed case? () Yes (x) No

What is the related case number: _____

Who is the Magistrate Judge: _____ District Judge: _____

Estimated trial time: 2-3 days

The Clerk will issue a Summons / Warrant (circle one)

Bond Recommendation: \$15,000 OR bond

PS 42
(Rev 07/93)

United States District Court
Middle District of Tennessee

ATTEST AND CERTIFY
A TRUE COPY
Clerk
U.S. District Court
Middle District of Tennessee
By: *James O. Schwarz*
Deputy Clerk

United States of America

vs

Kenneth Mayfield

Case No. 3:08CR00037-01

CONSENT TO MODIFY CONDITIONS OF RELEASE

I, Kenneth Mayfield, have discussed with Troy Sabourin (ND/IL) and Paulette Allen,
Pretrial Services / Probation Officer, modification of my release as follows:

- 1) Allow participation in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer;
- 2) Undergo a mental health evaluation with counseling/treatment as deemed advisable by the pretrial services office or supervising officer.

I consent to this modification of my release conditions and agree to abide by this modification.

<u><i>Kenneth Mayfield</i></u>	<u>5/19/08</u>	<u><i>Paulette Allen</i></u>	<u>5/19/08</u>
Signature of Defendant	Date	Paulette Allen, Supervisory U.S. Probation Officer	Date

I have reviewed the conditions with my client and concur that this modification is appropriate.

<u><i>Paul Decker Thoren</i></u>	<u>5/19/08</u>
Signature of Defense Counsel	Date

- ☒ The above modification of conditions of release is ordered, to be effective on 5/19/08.
- ☐ The above modification of conditions of release is not ordered.

<u><i>Todd Currell</i></u>	<u>5/19/08</u>
Signature of Judicial Officer	Date

PS 8 Revised 07
MD/TN Revised 7/07☐ Interpreter Required

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE

U.S.A. vs Kenneth Mayfield Docket No. 3:08CR00037-01

Petition for Action on Conditions of Pretrial Release

COMES NOW Ahmed Safeeullah, PRETRIAL SERVICES OFFICER
presenting an official report upon the conduct of defendant Kenneth Mayfield
who was placed under pretrial release supervision by the Honorable Todd J. Campbell, Chief U. S. District Judge
sitting in the Court at Nashville, Tennessee, on May 19, 2008, under the following
conditions: (Please see attached report)

Respectfully presenting petition for action of Court and for cause as follows:

(Please see attached report)

I declare under penalty of perjury that the foregoing is true and correct.

Ahmed Safeeullah Nashville July 7, 2008
U.S. Pretrial Services Officer Place: Date:
Next Scheduled Court Event Plea Hearing November 24, 2008
Event Date

PETITIONING THE COURT

- ☒ No Action ☐ To issue an order setting a hearing on the petition
☐ To Issue a Warrant ☐ Other

THE COURT ORDERS:

- ☒ No Action ☐ A Hearing on the Petition is set for
☐ The Issuance of a Warrant.
☐ Sealed Pending Warrant Execution
(cc: U.S. Probation and U.S. Marshals only) Date
☐ Other

Considered and ordered this 7 day
of July, 2008, and ordered filed
and made a part of the records in the above
case.

Todd Campbell
U.S. District Judge/Magistrate Judge

ATTEST AND CERTIFY
A TRUE COPY

Clerk

U.S. District Court
Middle District of Tennessee

By: Quinn C. Schwartz
Deputy Clerk

Petition for Action On
Kenneth Mayfield
3:08CR00037-01
Conditions of Pretrial Release

Page 2

U S. Pretrial Services Officer Action:

Conditions ordered:

- a) Report to Pretrial Services as directed;
 - e) Maintain or actively seek employment;
 - g) Surrender any passport;
 - h) Obtain no passport;
 - i) Abide by the following restrictions on personal association, place of abode, or travel: Northern District of Illinois; Middle District of Tennessee;
 - p) Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. 802, unless prescribed by a licensed medical practitioner;
 - q) Submit to any method of testing required by the pretrial services officer or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing;
- Modification #1) Participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer;
- Modification # 2) Undergo a mental health evaluation with counseling/treatment as deemed advisable by the pretrial services office or supervising officer.

Respectfully presenting petition for action of Court and for cause as follows:

The defendant, Kenneth Mayfield, appeared before Your Honor on May 19, 2008, for a status conference. As Your Honor is well aware, the defendant's conditions of release were modified as listed above

On June 6, 2008, the defendant was not present for a status conference before Your Honor. The Court was informed via a memorandum prepared by U.S. Probation Officer Lisa Capps that the defendant was at work on this date in the Northern District of Illinois. In addition, USPO Capps spoke with U.S. Pretrial Services Office in the Northern District of Illinois and was informed that the defendant was in compliance with the conditions of his pretrial release and had been scheduled to meet with the U S Pretrial Drug Treatment Specialist on Monday, June 9, 2008.

On Monday, June 9, 2008, Mr. Mayfield reported as directed for this office visit and admitted to using heroin on Sunday, June 8, 2008. He was issued a drug test on this date which tested presumptively positive for opiates. Mr. Mayfield was referred for treatment services with Family Guidance, Chicago, Illinois, where he was to receive counseling, drug testing, methadone medication, and physical exams. He began this treatment on Friday, June 13, 2008.

On Tuesday, June 17, 2008, Mr. Mayfield reported as directed for a drug test and tested presumptively positive for opiates. A subsequent conversation was held between the U.S. Pretrial Drug Treatment Specialist in the Northern District of Illinois and the defendant's treatment provider (Family Guidance). The treatment provider asserted the methadone that the defendant was taking could not produce this positive test result. Mr. Mayfield was questioned about his usage of illegal controlled substances and he responded that he used heroin on Sunday, June 15, 2008.

Petition for Action On
Kenneth Mayfield
3:08CR00037-01
Conditions of Pretrial Release

U.S. Pretrial Services Officer Action:

On June 24, 2008, Mr. Mayfield was issued a drug test which yielded negative for the presence of any illegal controlled substances. On July 1, 2008, this officer telephoned U.S. Pretrial Drug Treatment Specialist Brian Kolbus in the Northern District of Illinois and he related the defendant is currently participating and abiding by the conditions of his drug treatment program.

Mr. Mayfield has violated the conditions of his release by using an illegal controlled substance, specifically heroin, on June 8, 2008 and June 15, 2008;

Our office would respectfully request No Action be taken as the defendant is currently in drug treatment and has most recently tested negative for the presence of illegal controlled substances. However, should the defendant revert back to the use of any illegal controlled substance, specifically heroin, the Court will be notified with an alternate request.

AUSA Carran Daughtrey has been informed and concurs with this recommendation.

xc: Assistant United States Attorney, S. Carran Daughtrey
Assistant Federal Public Defender, Carl Douglas Thoresen